



MONDAY, JANUARY 6, 1766.

*§. WE congratulate our Readers on the Commencement of another Year; and that the same may prove a Year of LIBERTY, Prosperity & Happiness to them, is the hearty Desire of
The PUBLISHERS.

N. B. Those who have been long indebted for this Gazette, are desired to be speedy in discharging the same.

JOHN HAMPDEN to WM. PYM. //

SIR,

THE King's courts are to be ever open, when by any possibility they can be, and the subject has a right to have them thus open, and a right to resort to them for justice. What idea must be formed of the conduct of those, who thro' a vain fear, or from misguided policy, have shut them up in America, may appear by the following extracts. "The administration & exercise of the kingly government, is in contradiction and confederation of law, all one and the same; and I think no body, that would reason aright from thence, can say there is any distinction between government and the exercise of government: For whosoever takes from the king the exercise of government, takes from the king his kingship; for the power, and the exercise of the power, are so joined that they cannot be severed. And the terms themselves, taking them as the law of England, which we are to argue from in this case, teacheth them, are so coincident, that they cannot either subsist without confounding together. If a man grants another the government of such a place, this imports the exercise of the government there to be granted thereby." It was by Holt and all the great lawyers who debated on King James's abdication, looked on as absurd to pretend to assert, that the office of a king could continue after the exercise of government was given up. The same reasoning may be applied to a governor of a province. Maynard said on the abdication, "When there is a perfect defect of one to exercise the administration of government, there is a vacancy of government". The distinction of right of government, and the exercise of that right, was first devised to leave room for the restoration of James II. but both houses finally determined that the abdication of the exercise of government, and the abdication of the right of government, and to the crown was the same thing; and on this principle King William came in; and his Majesty now holds the crown of Great Britain by virtue of an act of parliament calling his illustrious family to the succession. "For this cause are tribunals erected, say the emperors Honorius and Theodosius, and the security of public laws provided, lest any man should give himself the liberty to avenge his own quarrel. The ancient liberty which the law of nature first gave us, remains still to force, where there are no courts of justice. Undoubtedly the liberty allowed before, is now much restrained, since the erecting of tribunals: Yet there are some cases wherein the right still subsists; that is, when the way to legal justice is not open. For the law which forbids a man to pursue his right any other way, ought to be understood with this equitable restriction, that she finds judges to whom he may apply. Now the way to legal justice may fail, either for some time, or absolutely. It fails for some time only, when the judge cannot be waited for without certain danger or damage. It fails absolutely, either by right or fact: By right, if a man be in places not inhabited, as on the sea, in a wilderness, in desert islands; and any other places where there is no civil government. By fact, if subjects will not submit to the judge, or the judge, refuse openly to take cognizance of matters in dispute. This was the case of Moses, when he saw one of his brethren (that is, an Israelite) suffering wrong, he detested him, and avenged him that was oppressed, and smote the Egyptian. For at that time the Israelites

had begun to expect justice from the Egyptian judge. Where there are no courts of law to appeal to, it is then we must have recourse to the law of nature; nay, the exercise of justice should but for the present be interrupted, we might certainly seize on what we could find, if the debtor were running away, and there should be no other method of recovering our own. If a King, or any other prince, has abdicated his government, or manifestly abandoned it, after that time we may do the same to him as to a private man; but negligence in discharging the functions of government is not to be taken for a real abdication, provided such negligence be not very considerable; for if it be carried so far as that a King lets the affairs of a state run entirely into disorder and confusion, I make no doubt to consider his conduct as a real abdication. The thing speaks for itself." Hugo Grotius de jure belli et pacis. Lib. 1. C. 3. ff. 2. Lib. 2. C. 4. ff. 9. C. 7. ff. 2. n. 2. C. 20. ff. 2. p. 4. & 5. with Mr. Barbeyrac's notes. Code Lib. 1. Tit. IX. De Judicibus & Coelestibus. See also Bracton 240. The whole passage relating to the true legal sense of a time of war, which is but in part cited by Lord Coke, in his 1st Inst. By this it will manifestly appear, that the time of war which justifies the courts of law being shut up, is to be taken in the sense I have explained to you. Bracton among other very judicious observations that Lord Coke has omitted, has this. Sed omne tempus post esse tempus, guerrum (bellorum) et post esse tempus pacificum, non autem simpliciter, sed ad quoddam ut non ad omnes. "Any time may be a time of peace or a time of war, not simply, but as to some not as to all. He rightly distinguishes between a general and special war, partial tumults, &c. And on the whole, it is plain from him the judgment as to a time of war or peace in a legal sense depends on this, whether there be not a great part of the community in a quiet orderly state, willing to submit to all just laws, and desirous to be governed by them?"

The sovereign power in a state once established, is considered as perpetual, it cannot exist by intervals, ceases not but with the dissolution of government, as was the case at the revolution. This is the true sense of the maxim, that the King never dies, i.e. the sovereignty, and the exercise of it, are perpetual and unremitted. On this principle it may be affirmed, that should an act of parliament be made ordering all courts of law & justice to be laid aside it would be ipso facto an abdication of the government by all three branches of the legislature, and an instant dissolution of the society. For according to that great common lawyer and civilian, Bracton 107, *sed quid est regnum nisi in ordinata justitia?* Ad hoc autem creatur ut sit *ut justitiam faciat universis et ut in eo dominus sedeat et per ipsum sua justitia discernat et quod iuste iudicaverit sustineat et defendat quis si non esset qui justitiam faceret per deo facti posset existimari et supervacuum esset leges condere et justitiam facere nisi esset qui leges tueretur." These arguments show that if a monarch is refused to exercise his kingly office, amounts to an abdication, as it did in James II. a formed, settled rebellion of the plantation governors, & the great officers under them, to stop the whole course of justice, by refusing to exercise the trusts reposed in them, is a dangerous combination against the rights and liberties of the subject, and most manifestly and flagrantly tends to the subversion of the crown. The giving up the administration of justice in the colonies, by the several governors, judges, and other officers in the scheme, till they are forced and compelled to it, is deserting the cause of their royal master, and giving up, as far as is in their power, his kingship and majesty. What this amounts to, I leave those gentlemen who are against opening the courts to consider; as all who will be chargeable with all the ill consequences of such a desertion. This naturally brings on an enquiry, what force and compulsion has been the cause of the shutting up the courts? Is it a time of invasion? No. Is there a general insurrection or rebellion, or was there at the time of shutting them up? No. Has the least insurrection or contempt happened to any court sitting? No. But 'tis said "there have been in many of the principal towns, great and terrible riots." The more need of courts to suppress any further disorders of that kind, a lawyer would say. For this reason, among others, the people in general desire the*

courts opened, and have petitioned for it.—But it is said "these riots were occasioned by, and were in opposition to an act of parliament imposing stamps"; that "they have not only obliged the distributors to resign, but have gone such horrid lengths in the destruction of private property, as must be so far at least in the highest degree detestable to all good and honest men." It is granted, and therefore the town of Boston the next morning after the catastrophe of 26th August, met and took such measures as have happily prevented the least damage to property since. But granting for argument sake the most that has been insisted upon by any man, namely, that the rioters on the 26th August were guilty of high treason", does that make all mankind guilty? What would become of the British government, if all courts of justice were to be shut up, every time there was a riot? Would not this have the direct tendency to increase rather than suppress the evil? But it has been said; "that no stamps can be had by reason of the opposition to the distributors, and the judges cannot proceed without them". Is all the community to suffer, the King's government to be given up, the execution of all his other laws to cease, because the distributors, and those required to assist them, cannot carry one unpopular act into execution? Is a person subjected to any thing more than a mulct for not using the papers? Even from this, it is not to be held, he is in law and reason excused. There can be no doubt of this as to the innocent; and as to those who have opposed the distributors, they are punishable when found in another way, than by having the courts of civil justice shut up, which involves the innocent with the guilty in the same loss. There is nothing in the act that looks as if it was intended that the courts should stop for want of stamps. There is no provision in case of the death of the distributors, or of the not arrival of the papers, or the loss of them by tempest, fire, or other casualties. Must the courts in all such cases stop too? The act itself took place a month before the deputations to the distributors arrived, which is like the conduct of a late ministry in a certain expedition, when they sent the ammunition in one ship, and the cannon in another, and the former actually arrived a month before the latter. Had it been intended that the act should have been executed in the manner the Governors, and other zealous friends of it contend for, the Parliament would have declared all papers without stamps void.—But even then, an impossibility to get at them, would excuse a party not having them, & a court might & ought to go on without them. As to the oath imposed on the plantation governors, it is only "to do their utmost that all and every the clauses contained in the act be punctually and honestly observed, according to the true intent thereof, so far as appertains to such governors." When a governor has made proclamations and speeches to enforce the act, reiterated, and in season and out of season exhorted all to receive the papers, and cannot prevail, I think he has discharged his trust, "delivered his own soul" and must be excused for not risking his poor little body. As to the judges, they are under no oath or penalty by the stamp act; but there is one clause in it that can never be complied with by the judges without opening their courts, and is the only thing required of them by the act, namely, "That the judges in the several courts, and all other persons to whom it may appertain, (if any mortal can tell who these are) shall at the request of the stamp officer, make such orders, and do such other matters and things for the better securing of the said duties, as shall be lawfully or reasonably desired in that behalf." Now, is humbly submitted to them all, and to those of the American judges in particular, who plead a tender conscience for shutting up the courts, whether they are not doing all in their power to defeat the stamp act. Or at least refusing to do the only thing required of them towards enforcing it? For so frequently have some lately been as to extrajudicial opinions in any case, that it has been taught, on question can be determined, even that whether the courts shall proceed, but in term time. Now if so, orders for enforcing the act will never be applied for or made unless the courts sit. For any thing I can tell, it may be needful to give the distributors a writ of assistance, and I think there could be no good authorities cited in favor of it, as ever were bro't in favor of that to the custom house. Nothing of this can be done

† Pollenfen's argument at the revolution conference.

// From page 397. 11 Vide page 177 * Vide Gov. Barnard's Speech page 208.
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without a court; therefore it seems by the wife conclusion that has been made of the act, the courts of law, which were to be the great support of the distributors, have tied their own hands from enforcing the act as required of them. But the plain truth is, the friends of the act in America, and those who had orders from the late ministry to enforce it, *utitur viribus*, have left no stone unturned. When the tumults about it ceased, and the panic was a little over, and dragons were not readily to be had, a doctrine was preached up, and has unaccountably prevailed, that all courts, all trade and commerce, must cease; that people must not eat nor drink, unless the stamps were taken. This has been submitted to, till people find themselves very hungry. In short, a resolution has been made that no law should be executed if the Stamp act was not. A proceeding truly sage, an invention quite new and original, and the friends to the Stamp act in America should have the chief credit of it. It is much about as wise as if the Dutch because they could not keep their Dykes, quite right, should knock them all down, and let in the sea.

There are divers acts of parliament not executed in England. Sir William Jones says, "tho' the judges are sworn to execute all laws, yet there is no obligation upon any man to inform against another. There are many laws still unexecuted, which are never executed, nor can be without public detriment. The judges know of many such dormant laws, and yet they never quicken the people to put them in execution, nor think themselves guilty of perjury that they do not." But if common informers were an honourable set of men, as they were called in a celebrated charge to a grand jury, in opposition to Lord Coke, the common law, and statute law, who all call them *passiva gens hominum*, yet what a strange construction must it be of an oath that requires the judges ever to keep the King's courts open, to say that very oath requires them to be shut up; because the distributors cannot execute the Stamp act? This is much like the deduction of that great genius, who because the courts are not to be obstructed by the King's letters, inferred that his Majesty could not order, nor even recommend it to his judges, to go on and dispatch his and his subjects concerns, when they take it in their heads to shut all his courts up without cause.

Carried to p. 317

HAMPDEN.

SOUTH-CAROLINA.

In the Common House of Assembly, the 29th Day of November, 1765.

THIS House, sincerely devoted, with the warmest Sentiments of Affection & Duty to his Majesty's Person and Government; inviolably attached to the present happy Establishment of the Protestant Succession; and with Minds deeply impressed by a Sense of the present and impending Misfortunes on the People of this Province; esteem it their indispensable Duty to their Constituents, to Themselves, and to Posterity, to come to the following RESOLUTIONS, respecting their most essential Rights and Liberties, and the Grievances under which they labour, by Reason of several late Acts of Parliament.

I. RESOLVED, That his Majesty's Subjects in this Province owe the same Allegiance to the Crown of Great Britain, that is due from his Subjects born there.

II. That his Majesty's Liege Subjects in this Province, are intitled to all the inherent Rights and Liberties of His natural born Subjects within the Kingdom of Great Britain.

III. That the Inhabitants of this Province appear also to be confirmed in all the Rights afore mentioned, not only by their Charter, but by an Act of Parliament of the 13th of George II.

IV. That it is inseparably essential to the Freedom of a People, and the undoubted Right of ENGLISHMEN, that no Taxes be imposed on them but with their own Consent, given personally, or by their Representatives.

V. That the People of this Province are not, and, from their local Circumstances, cannot be, represented in the House of Commons of Great Britain. And farther, That, in the Opinion of this House, the several Powers of Legislation in America were constituted, in some Measure, upon the Apprehension of this Impossibility.

VI. That the only Representatives of the People of this Province are, Persons chosen therein by themselves; and that no Taxes ever have been, or can be, constitutionally imposed on them, but by the Legislature of this Province.

VII. That all Supplies to the Crown being free Gifts of the People, it is unreasonable and inconsistent with the Principles and Spirit of the British Constitution, for the People of Great Britain to grant to His Majesty the Property of the People of this Province.

VIII. That Trial by Jury, is the inherent and invaluable Right of every British Subject in this Province.

IX. That the late Act of Parliament, intituled, "An Act for granting and applying certain Stamp Duties, and other Duties, on the BRITISH Colonies and Plantations in America," &c. by imposing Taxes on the Inhabitants of this Province; and the said Act, and several other Acts, by extending the Jurisdiction

of the Courts of Admiralty, beyond its ancient Limits; have a manifest Tendency to subvert the Rights and Liberties of the People of this Province.

X. That the Duties imposed, by several late Acts of Parliament, on the People of this Province, will be extremely burthenome and grievous, and, from the Scarcity of Gold and Silver, the Payment of them absolutely impracticable.

XI. That, as the Profits of the Trade of the People of this Province ultimately center in Great Britain, to pay for the Manufactures which they are obliged to take from thence; they eventually contribute very largely to all the Supplies granted there to the Crown: And besides, as every Individual in this Province, is as advantageous to Great Britain, as if he were in Great Britain; and as they pay their full Proportion of Taxes for the Support of His Majesty's Government here (which Taxes are equal, or more, in Proportion to our Estates, than those paid by our Fellow Subjects in Great Britain upon theirs); it is unreasonable, for them to be called upon, to pay any farther Part of the Charges of the Government there.

XII. That the Assemblies of this Province have, from Time to Time, whenever Requisitions have been made by His Majesty, for carrying on Military Operations, either for the Defence of themselves, or that of America in general, most cheerfully and liberally contributed their full Proportion, of Men and Money, for these Services.

XIII. That, though the Representatives of the People of this Province had equal Assurances and Reasons, with those of the other Provinces, to expect a proportional Reimbursement, of those immense Charges they had been at, for his Majesty's Service, in the late War, out of the several parliamentary Grants for the Use of America; yet, they have obtained only their Proportion of the first of those Grants; and the small Sum of Two Hundred and Eighty five Pounds Sterling received since.

XIV. That notwithstanding, whenever his Majesty's Service shall, for the future, require the Aids of the Inhabitants of this Province, and they shall be called upon for that Purpose in a Constitutional Way, it shall be their indispensable Duty, most cheerfully and liberally, to grant to his Majesty, their Proportion, according to their Ability, of Men and Money, for the Defence, Security; and other public Services of the BRITISH AMERICAN Colonies.

XV. That the Restrictions on the Trade of the People of this Province, together with the late Duties and Taxes, imposed on them by Acts of Parliament, must necessarily greatly lessen the Consumption of BRITISH Manufactures amongst them.

XVI. That the Increase, Prosperity, and Happiness of the People of this Province, depend on the full and free Enjoyment of their Rights and Liberties; and on an affectionate Intercourse with GREAT-BRITAIN.

XVII. That the Readiness of the Colonies to comply with his Majesty's Requisitions, as well as their Inability to bear any additional Taxes, beyond what is laid on them by their respective Legislatures, is apparent, from the several Grants of Parliament, to reimburse them Part of the heavy Expences they were at in the late War in America.

XVIII. That it is the Right of the BRITISH Subjects of this Province, to petition the King, or either House of Parliament.

ORDERED, That these VOTES and RESOLUTIONS be printed, and made public, that a just Sense of Liberty, and the firm Sentiments of the Loyalty, of the Representatives of the People of this Province, may be known to their Constituents, and transmitted to Posterity. By Order of the House, PETER MANIGAULT, Speaker.

In the Common House of Assembly,

the 29th Day of November, 1765.

THOMAS FARR, jun. Clerk.

["The Lord gave it us, and the Deity shall not take it from us."] Charles XII of Sweden.

Portsmouth, New-Hampshire, December 30.

Yesterday the Scarborough Malt Ship, Capt. Hugger, sailed for London.

Capt. Saller who arrived here on Friday last from Barbados, has brought with him from thence, the *Gerris* Let-pals, with the Ignominious Ensigns of CREOLE SLAVERY: The SONS OF LIBERTY have it in Possession, and propose to put it to a proper Use, that shall serve to show Posterity their Abhorrence of a People who can so tamely submit themselves to the Yoke of Servitude, and entail on their Generations to come, the Curse of all Freeborn Britons.—Let us all in American Colonies with one Mind withhold our Connection with such SLAVES, and let them want the comfortable Enjoyment of every delicious Dainty from us, till they are brought to a State of Despondency, without Cash, without any Thing but stinking Fish and false Doctrines.

JANUARY 3. With Pleasure we can inform the Publick, that several Vessels that were cleared for Barbados, have altered their Voyages upon hearing this scandalous News.

Our Ears are now fill'd with Acclamations of the SONS OF LIBERTY, who this Morning exhibited

the Effigy of G—ge & V—lle, one of the Enemies of American Liberty, before the State-House, in this Town—but cannot obtain the Particulars at present.

Capt. Clarkson arrived last Tuesday at the Isle of Shoals from London, the Wind being N. N. E. ever since, he is not yet got into this Harbour with his Vessel.—Robert Trull, Esq; Comptroller of his Majesty's Customs of this Port, Mr. Henry Westworth of Boston, Capt. Cochran and others are come Passengers in him, and were bro't in from the Shoals in a Boat.—Capt. Clarkson had 10 Boxes of Stamp'd Paper ship'd on board his Vessel, but upon hearing the Uncertainty of his American Brethren ordered them all on shore again.—Capt. Clarkson left the Downs the 25th of October, and has had a tedious Passage.

Last Wednesday the General Assembly of this Province met at the Court House, being the Day to which they stood prorog'd.

Extract of a Letter dated London, October 17, 1765.

"I Congratulate my American Friends on their steady and firm Attachment to the Rights and Privileges of British Subjects, and though G—lle's unaccountable Ignorance of true Policy, has procured him his desired Taxation; you may depend upon it, neither the Man nor his Measures are approved of, and the new Ministry already perceive, that the Act was too suddenly passed, and that America is not ripe for such Burthens: If you should withhold your Orders for future Importations of our Manufactures it would set us at our Wits End, Money being now scarce with us, and our Factors and Correspondents abroad failing in Remittances,—our Tradesmen soliciting Payments, for want of which they daily discharge their Workmen, who again for want of Bread, are become a serious Consideration for the sensible Part of this great City—These Things alone, will work as much or rather more in your Favour than your Opposition—the Parliament don't fit for Dispatch of Business till the 17th of December, between this and then we hope to hear further from you, and on our part we shall stand by you with our Interest."

WHEREAS it has been reported that I the Subscriber refuse acting in my Office as Clerk of the Inferior Court for the County of Providence, on Account of the Stamp Act, I hereby do Certify all Persons concerned, That I will Act and Transact all Kind of Business consistent with my Office, in the same Manner as usual, before the first Day of November last, and all concerned are desired to apply to my Office for any Copies, Papers, or Business as usual. Witness my Hand, in North Providence, December 13, 1765. JOHN FOSTER.

POT-ASH Kettles, to be

Sold cheap, by SCOTT and GILL, at the Head of the Town Dock—and Cash given for good POT-ASH.

Superfine Hyson TEA,

(imported in Captain Bruce) to be Sold at Richard Clarke's Warehouse the lower End of King-Street.

Joseph Webb,

HEREBY informs his Customers, and others, That he has now made, and making, a fresh Parcel of POT-ASH Kettles, of the best Ore, and cast Brass upwards (which has been prov'd to answer the Purpose) Also Coolers and Ladles, cheap for Cash, short Credit, or Pot-Ash.—Also a general Assortment of Ware, as usual.

Joshua Gardner,

and Company,

Have imported in the last Ships from LONDON, A large Assortment of English Piece and Hard-Ware Goods; which they are determined to sell at the lowest Advance for Cash, at their Shop in Cornhill.

N. B. CASH given for good POT-ASH.

Jonas Clark, & Co^y

Have imported in Captain Bruce, from LONDON, A fresh Assortment of English Goods, suitable for the Season; which they are determined to sell at the lowest Advance for Cash.

Deserted from the Brig Deep-

Bay, Samuel Dashiwood, Commander, two Seamen, viz. George Lank, and John Cacker. If they will return to their Duty immediately, they will be kindly received, otherwise treated as Deserters.

Boston, January 1, 1766.

=Governor 11 George Grenville 000000000 vide the Act page 53

Friends Eds and GILL,
As thy Paper is open to all Sects, thou wilt insert the
included in thy next Monday's Journal for a
FRIEND.

Friend Samuel, *
THOU wilt not take sniffs a Word of Advice,
unless thy Heart is more corrupt than thy Ears
would make it, since it comes from a
Friend to Thee and all Mankind. Thou was once es-
teem'd as a Man of some Learning, some Sociability,
some Integrity, some Honor, some Honesty, and some
Honesty; but verily of late thou seem'st to have lost
all Claims to these Virtues, and art grown a fowre, un-
sociable, jealous, malevolent, pitiful, pedantick scribler,
to good Truth, if we examine thy Labors, we shall
find they come from the Heart of one who has no ac-
quaintance with the social Virtues, as the World call-
eth them — Thy first Performance was a daring ill-
natured satire upon the Representative of his Majesty,
because, poor Man, he now and then broke thro' the
Rules of Grammar in his public Speeches, and did not
see fit to treat thee with as much Respect as thy proud
Heart thought was thy due. — Thy second Friend fell
next under the Lath of thy venom'd Pen in the pub-
lic Papers, for being so unfortunate as innocently to
keep up his Latinity with a popular Exhorter, after
he had grossly affronted thee, by holding forth against
Spite and Contention, and in Favor of Charity and
Brotherly love, which thou perhaps might very justly
think pointed at thee. — I have a personal Spite against
a Reverend and good Character. How shall I come
at him, so as to glut my Vengeance, and have my Re-
putation? I must first find out some heavy Charge
against him, and then attack. It is done, I will write
a dirty, threatening, anonymous Letter to myself,
charge it boldly on him; and then a full Swing to
Calumny, Slander, and Ill-nature. — Verily Samuel,
the Devil suggested this Conduct to thee, or thy
Heart must be the most corrupt of all Hearts. —
Indeed it has at last come to this, that no One can
write a patriotic Letter to the Printers, but he im-
mediately becomes thy Enemy. No one can scribble
in the News-Papers, for his and the Public's Amuse-
ment, and satirise any particular Vice he pleases in a
figurative Way, but thou must be the Man aim'd at.
Verily if thou was not very wicked, thou wouldest not
condemn thyself so often by thy Applications; and if
thou was not very foolish, thou wouldest not shew
thyself so thy Enemies so gall'd as thou dost by the
Spite and Venom of thy mistaken and blind Replies;
for great must be their Joy when thou art worried,
and that thou art worried, even thy friends will attest.
— Surely Friend Samuel, thou art not ignorant that
Sammy will sound full as well as Jenny in a late
whimsical but innoxious Song, and I fear if thou
continuest in this Path, thy Enemies will be very apt
to retort it on thee, and sing Sammy's a malicious
Dog, &c. and what is worse, with Justice. I would
therefore have thee consider of thy Ways, and return
once more to thy Sociability, Cheerfulness and Good-
nature; perhaps the World will then forgive thy past
Faults, when it shall be remembered and pleaded in
Excuse for thee. — *That shallow Draught of Learn-
ing intoxicates the Brain* — Thou hast got thyself into
much Difficulty, get out by thy Silence; for I can
assure thee, that the utmost Pride of thy Opposers, and
all they aim at, is to vex thee to write, conscious of
thy Weakness, and their own Superiority. —

* P. Waterhouse. THY FRIEND.
BOSTON, January 6.
We hear that FOSTER HUTCHINSON, Esq; is
appointed Special Judge of Probate for the County
of Suffolk, during the Absence of his Honour the
Lieutenant-Governour, not exceeding the Term of
Twelve Months.
We hear the Court of Common Pleas will be held
here according to Law this Month.

Extract of a Letter from a Gentleman at Newport,
to his Friend in this Town, dated Dec. 26. 1765.
"Last Tuesday our Governor insisted that Mr.
Johnson should say whether he would be as Distribu-
tor of STAMPS, or resign immediately, as Bishops
could not be carried on without a positive Answer. —
He promis'd to meet the SONS OF LIBERTY, at 3
o'Clock at the Town-House; and instead of confor-
ming, he wrote, that he would not set, unless the
STAMP ACT took Place, and it was agreeable to the
People; which was far from being satisfactory to the
People: And accordingly above 200 went to his House
but he was not to be found. — He had taken Shelter
on board his Majesty's Ship, and there tarried Yester-
day. — In the Evening, our Sheriff went off in a Boat,
and bro't him on Shore, and delivered him into the
Hands of our respectable Inhabitants, and they
carried him to the Secretary, and made him sign his
Resignation, which they had ready for him, and I wear
to it. — They then conducted him to the Town-House,
and made him read it to a large Company: After
which they gave him three Cheers. — He then dam'd
the STAMP ACT, and widd he had never heard of
it. — They then gave him three Cheers more, and dis-
pers'd very quietly."

The Secretary of the Season the Week past, had
prevented the Southern and Western Mail arriving at
the Publication of this Paper.

Last Week John Wood was committed to Goal in
this Town, for a Rape on the Body of Elizabeth Allen,
an Infant Woman Child, about 9 Years old, on the
24th ult; where he remains to receive the just Sen-
tence of his Demerit.

'Tis reported, that a Vessel is arriv'd at Cape Ann,
from the Mount, the Master of which says, That the
Spaniards taking a greater Dislike to the French than
the English, had drove them from thence.

AN ADDRESS to the LADIES — From an IMPERIOUS.

DEAR LADIES,
"SINGE the Days of the Romans, I have heard my
Master say, no so spirited and noble an Example
of Patriotism, Male or Female, can be found as the
Ladies in North America have shown. I mean, says
he, the leaving off the Article of Mourning Apparel,
even for the nearest and dearest Relatives, as Husband
and Wife, Father and Mother, Son and Daughter, Bro-
ther and Sister. This Step the Gentlemen could never
have effected, without the Concurrence and Good-will
of the Ladies. This single Step, if well followed,
will have a greater Effect on the Prosperity of this
Country, than an 100 Prussian Regiments of Foot,
with many Remembrances in one Hand, and flaming
Swords in the other." Dear Ladies, persevere in the
Work you have so gloriously begun! Depend upon
it, the brave, the wife, and the witty, with whom we
are all charmed, love & admire you not half so much
for your Beauty, and in gaudy Apparel, as for plain
good Sense, Virtue and Neatness. The last in with
them one good Proof of the former. I have also
heard my Master, who loves the Ladies in a virtuous
Way as well as any Man in America, wonder at the
Inconsistency of Custom. "Throwing off Black,"
says he, will do much for us, if it is not all spoiled by
Crimson and Scarlet". I am amazed at the Expense
these two Articles have been to North-America, and
to this poor Province in particular. And tis to be
feared they will finally ruin all". White is an Em-
blem of Innocence and Purity; but in good Books
Crimson and Scarlet are hardly ever mentioned but
with Reproach. These two Colours are used as the
strongest Images of Sin. The Scarlet one every
one has read of. Depend on it, all sober Gentlemen
ever suspect those in Scarlet, from the Horse Dragoon
to the painted Girl of the Town. I know but of
two Things in the World those Colours become, and
they are a Crab and a snail-boiled. Now Ladies, my
Advice in the first Place is, to Moderation, and to go
on as you can hold out. I therefore humbly propose,
that no Lady for the future appear in a Christian
Church or Congregation, with Crimson, much less
with a Scarlet Hat. TABITHA STRAWBERRY,
P. S. Sweet Ladies,

Will you not deny yourselves a little more, while
your Husbands are barely struggling, that some of
your Posterity may perhaps be Princes and Queens?
T. S.

Anecdote of CHARLES the blessed Martyr.
"Charles Rex.
Canterbury Dec that our Royal Declaration con-
cerning Recreations, Sports & Pastimes, on the Lord's
Day, after Evening Prayer, be printed".
N.B. This was drawn by that Arch Butcher Land,
as about the same time was a gracious, pious Procla-
mation, prohibiting the carrying any Food to the
Presbyterians in New England. — It is recommended
to Geneva, and to be used, and the Rest, in
their next Speeches against North America, to bear
in Mind this and a thousand such-like Instances of
partial, tender Love and Care of these Colonies in
their Infancy.

A Lacock Letter, suppos'd to be to WOLSEY.
Great SIR,

"Retreat or you are Ruined!"
CROMWELL.

The Pieces sign'd A. B. and Z. A. Y. B. are
come to Hand, and will have a Place in our next.
Imported in the Captain Scott and Bruce, and to be
Sold at the Store of

John Smith,
In Haverhill-Street;

A general Assortment of Goods,
suitable to the Season.

Samuel Dashwood,

Has just imported in Captain Bruce from LONDON,
A fresh Assortment of English
Goods, Muffs and Tippets, Raim and Squirrel Trim-
ming for Cardinals, new fashions Trimming for Ladies
Gowns, crimson and black frigg'd Sattin, with many
other Goods, too tedious to mention, at the lowest
Advantage.

Just Imported and to be Sold by
Samuel Gray,
At the Head of Hancock's Wharf, at the lowest Rate,
Russia, English & Ravens Duck,
Ticklinburghs, Osnabrigs, Bedtic, Cotton and Linen
Checks, knit Patterns of all Colours, Drab and more
Cloths, German Serges, Rays, Flannel, Swadkin, Table
Cloths of all Prices, best Damask Napkins, Clooting
Damask &c. Nails of all Sorts, Cad Lines & Hooks,
Twine, Stockings of all Sorts, Shalloon, Tammies,
Popplins, Dredge, Camblets, Tandem & Kid Linnen,
Chints, Callicots, Downes, Burton Ale, London Porter,
Irish Butter, Oil Shion, Jamaica Fish, &c.

A double-Sley with Carriage and
Wheels, and Three Pair of Runners, to be Sold cheap
for Cash: Inquire of Eds and Gill.

To be Sold at PUBLIC VENDUE, at
the British Coffee-House in King Street, Boston, on
THURSDAY the 9th Day of January next, at XII
o'Clock, A. M.

The Dwelling-House of the late
Mrs. Elizabeth Ridgway, situated in Cornhill, next
Door to Mr. William Greenleaf's.

TO BE SOLD,
By Benjamin Church,

At his usual Place of Sale, on THURSDAY next,
European Goods of various Sorts,
Broad Cloths fine coarse and middling, Checks, Irish
Hollands, Camblets, Callimancoes, Serges, Shalloon,
Men and Women's Handkerchiefs, Caps, &c. Mohogay
Cafe of Draw, Tables, Chairs, Looking Glasses, Silver
Watchers, &c. &c.

To be Sold at Public VENDUE,
By Moses Deshon,

the West End of Faneuil-Hall,
Dock-Square;

Next Tuesday, Wednesday, and Friday Evenings;
Broad Cloths, Rattens, Kerfies, Halfbacks, Blan-
kets, green, plain & striped Camblets, Plushes,
Breeches Patterns, Mens worsted Hosi, Irish Hollands,
Checks, striped Hollands, Linnen Handkerchiefs, Silk
ditto, Keating ditto, coloured Thread, black Russels
and Callamancoes, Stay Laces, Fringes, Buckrams,
Hats, Leather Breeches, Writing Paper, Soap in Bottles,
Mould Candles, Household Furniture, &c.
N.B. A Silver Watch, Floor Carpets, English Sad-
dles at private Sale.

Constant Attendance at said Room.

At the New Auction-Room now kept by
ELIAS DUPEE,

Will be Sold by PUBLIC VENDUE,

To-morrow, Wednesday and Friday Evenings,
European Goods, Household Furniture, Wearing
Apparel, good Watches, Books, &c.
Also, New Muffs, and Tippets, and a Ladies Gold
Watch and Furniture.

THURSDAY NEXT,
At XII o'Clock, A. M. will be Sold at Public Vendue
at the British Coffee House, King Street;

Several Casks and Baskets of Bot-
tled Beer, and sundry Crates of Earthen Ware.

CUSTOM-HOUSE, BOSTON. Entered in.
Owner from Rhode-Island; and Hovell from
Quebec.

By the Weekly Accounts of Burials and Baptisms,
it appears that from January 1, 1765, to Janu-
ary 6, 1766, there have been buried in this Town

Whites, 508. Blacks, 52. In all, 560.

Baptiz'd in the several Churches, 479.

The last Year's Account stands thus:

Buried, Whites, 471. Blacks, 77. In all, 548.

Baptiz'd in the several Churches, 367.

Buried in the Town of Boston, since our last
Fourteen Whites. One Black.
Baptiz'd in the several Churches, Nine.

High Water at Boston, for this present Week,
Monday, 4 m. aft. 2 | Friday, 7 m. aft. 5
Tuesday, 53 m. aft. 2 | Saturday 39 m. aft. 5
Wednesday, 21 m. aft. 3 | Lord's-day, 48 m. aft. 6
Thursday, 17 m. aft. 4 | 3's high 3 Day 21 Night

(Advertisements continued, will be in our next.)

vide Pa. 76. Charles Townsend a Friend to the Taxing America, and Father of the
Curse — a Glass Act. & Supposed Gov. Pownall. & See the Act page 53

PUBLIC notice is hereby given, That the Commissioners appointed by his Majesty for the sale and disposal of lands in the island of Grenada, the Grenadines, Tobago, St. Vincent and Dominica, have fixed their Office in Kingston, in the island of St. Vincent; and desire that all letters for them may be addressed accordingly. By Direction of the Commissioners,
JOHN GREG, Secretary.
Dominica, August 8. 1765.

ADVERTISEMENT.
WHEREAS several of the twenty five Persons to whom Governor Dalrymple granted town-lots in Charles-Town, have not laid their grants before the Commissioners, as required to do by several Advertisements; *Public Notice is therefore given*, that all unclaimed lots whereon houses have not been built, and for which the proportion of the money stipulated by Governor Dalrymple's agreement to be paid for Madam Fortreau's pasture shall be unpaid on the 1st day of January next, will be considered as forfeited, and sold by public auction; and those persons who have made their claims and produced their grants, are required immediately to pay seven pounds ten shillings, currency, to Mr. Greg, the Secretary, that sum being each person's respective share of the said purchase money, when they may receive the certificates to enable them to procure grants under the great seal of these islands.
By Direction of the Commissioners,
JOHN GREG, Secretary.

DOMINICA, July 31, 1765.
BY THE KING'S AUTHORITY.

PUBLIC notice is hereby given, That the Commissioners appointed by his Majesty for the sale and disposal of lands in the islands of Grenada, the Grenadines, Tobago, St. Vincent and Dominica, have resolved to hold the sales of land for the ensuing year in the several islands that are the object of their commission, at the following times, that is to say,

On Monday the 17th day of February next, the sale will commence in the island of Dominica. The lots will consist chiefly of estates abandoned by the French in different parts of the island; plantation lots in the levels of Becry, Roseau and Layou, and in the neighbourhood of Prince Rupert's Bay and Grand Bay; and several town lots in different places.

On Thursday the 10th day of April next, will be got up to sale, some houses and lands in the island of Grenada.

On Tuesday the 6th day of May next, will commence the sale of lands in the island of Tobago, where several plantation lots in the neighbourhood of Great Courland Bay, Great Rockley Bay, Barbados Bay, Grand River Bay, and Charrapuse Bay, will be put up to sale. And,

On Wednesday the 28th Day of May next, will commence the sale of lands in the island of St. Vincent, where will be put up to sale, several plantation lots in the level of Morne Agout, & in the quarters of Chateau Bellair, and Onachibau, mostly of a very excellent soil and adapted for sugar plantations; and several town lots in different places. And also will be put up to sale, in the island of St. Vincent, at the same time, what plantation lots remain unsold in the island of Tobago. Advertisements descriptive of the situation and soil of each allotment, shall be published as soon as possible.

The terms and conditions on which the said lands will be sold are, That no person shall be permitted to purchase from the Crown, either in his own name, or in the names of others in trust for him, more than allotments to the amount of five hundred acres in the island where the lands lie, or more than three hundred acres if in the island of Dominica.

That the highest bidder for each lot shall be declared the purchaser, who shall thereupon pay down 20 per cent. of the whole purchase money, and six pence sterling for each acre of which his lot shall consist, to satisfy the expense of surveying the same; whereupon he shall receive a bill of sale, and a certificate from the Commissioners, of his being the highest bidder; upon producing which bill of sale and certificate, to the Governor General of the Grenades, and the several islands, or the commander in chief for the time being, he shall be entitled to a grant in fee simple (under the seal of the islands) of the lands by him purchased, and take possession thereof; such grant to be registered in the Secretary's office of the respective island where the lands lie.

That in case of fraud, collusion, or other contravention to the King's instructions, and not otherwise, the grant shall be revocable, for the space of twelve months from the date thereof, by the Lord High Treasurer, or the Lords Commissioners of his Majesty's Treasury, for the time being; but if not revoked within that term, the same shall then be absolute; if revoked, notice thereof shall be immediately given, and the money returned to the purchaser with the usual interest of the island; and compensation also made for all sums of money, which shall bona fide have been laid out for clearing, improving or building, on any part of the lands contained in such grant, to be ascertained by arbitration.

That of the purchase money remaining due, 20 per cent. more than the twenty per cent. above mentioned,

shall be paid within the first year after the date of the bill of sale, ten per cent. the second year, and twenty per cent. every successive year, until the whole shall be paid; but in default of any of the said payments, the lands shall be liable to be forfeited, and again sold, in order that the King may be first paid, and the residue shall be the property of those before intitled to it.

That from twelve months after the date of the grant, the purchaser shall clear away at the rate of five acres in the hundred annually, until one half of the cultivable land shall be cleared, under a penalty of five pounds sterling per annum for every acre not cleared in pursuance of this condition.

That for every hundred acres of cleared land, the purchaser is or shall be possessed of, he shall keep thereon one white man, or two white women, under a penalty of forty pounds sterling for every white man, and twenty pounds sterling for every white woman that shall be wanting; and pay an annual quit rent of six pence sterling per acre, on whatever cleared land he has purchased, or shall clear in pursuance of the conditions required.

That all payments shall be made conformable to the King's instructions to the Receiver, in good gold specie, to be taken by weight at the rate of three pounds eighteen shillings and three pence sterling per ounce; and bonds shall be given to him by the purchasers for the payments of the several instalments.

That a reservation shall be made to the King of all gold and silver mines, which are now, or may hereafter, be discovered in the said islands.

By Direction of the Commissioners,
JOHN GREG, Secretary.

Caleb Blanchard
Has just Imported in Capt. Jenkins from LONDON:

TEA by the Chest or
Smaller Quantity—Spices, Poland Starch, Muffs and Tippers, Ermine and Squirrel Trimming for Cardinals black and coloured Sattin, plain and sprig'd—scarlet Snail & Trimming—Laces—new Trimmings, black Cravats, Russia and English Duck—With many other Goods too tedious to mention—all at the lowest Advance.

William Fisher,
in Cornhill, Boston;
HAS Imported in the
Friendship, Capt. Jenkins, who is just arrived from LONDON:

A fresh Assortment of English
GOODS, which he sells at the CHEAPEST Rates.

John Cunningham
Has Imported in Capt. Scott, just arrived from London,
A Fresh Assortment of GOODS,
suitable to the Season, which he will sell at the cheapest Rate for the Cash; at his Shop the second North of School Street, in Cornhill—Amongst them are,
LOW pric'd Broad Cloth, Bayes, Beaver Coatings, Double Camblets, Sprig'd Mecklenburghs, Yd-wide Worsted ditto, Yd-wide Birds eye Stuffs, Green, cloth colour'd and strip'd Camblets, Devonshire Kerseys, Black Cardinal Silks and Trimmings, Black figur'd Sattins,
Black English Tuffays, Scarlet Cloth, Minions, Dressed, Cloth colour'd and Pink Brogues, Irish Camblets, Colour'd Crapes, Calamancoes, Grizette, Womens Satin, Hairs and Bonnets, Silverings.

Robert Jenkins, Tinsmith,
Has Imported in the Captain Marshall and Scott, from LONDON.

A large Assortment of Winter
Goods, among which are half yard and yard wide plain and sprig'd Popplins, plain and striped Camblets, Irish ditto, worsted and silk broadened ditto, rich Grizette, Bruners, Mecklenburghs, coloured Crapes, Callimancoes, with a Variety of other Articles, too many for an Advertisement.—All which he is determined to sell by Wholesale and Retail, at the lowest Rates for Cash, at his Shop lately improved by Mr. Thomas Symmes, at the Head of Dock-square, just above the Market.

If Charles Harding, of the 42d
Regiment of Royal Highlanders, will come to Samuel Grant, of Boston, Esq. he will be informed of something greatly to his Advantage.
N. B. He will have his sword and Discharge.

JUST RE-PRINTED.
(And to be sold at the Printing-Office in Milk Street.)
A DISCOURSE on Exodus 32. 7. 8 Occasional-ly made on burning the Effigies of the ST. EM-N in New London in the Colony of Connecticut. By a Friend to the LIBERTY of his Country.

Whereas the Great and General
Court at Boston in February 1763, did grant or order a tax of one penny per acre to be laid on all the lands lying in Greenwich, belonging to non-resident proprietors or Owners for four Years successively; and we the Subscribers pursuant to said Grant or Order of Court having assessed said Lands and committed the Assessment to Mr. William Fisk Collector, who has posted up the same in said Greenwich, and in the Shire Town of said County as the Law directs: THESE are therefore to notify said Non Resident Proprietors or Owners of Lands in Greenwich, that have neglected or refused to pay their Tax, that unless they pay said Assessment or Tax to William Fisk Collector in Greenwich, their Lands or so much of them as will pay said Tax and Charges will be sold at public Vendue on Tuesday the 1st Day of April next, at Ten o'Clock in the Morning, at the Dwelling House of Capt. Jeremiah Powers, Innholder in Greenwich, and so from Day to Day said Vendue to be continued by Adjournment or Adjournments till the whole be sold that shall then remain unpaid.
James McCluer,
Joseph Moffatt,
Isaac Powers, } Auctioneers
Greenwich,
Nov. 4. 1765.

TO BE SOLD.
By Joseph Palmer & Comp'y
Spermaceti Candles, warranted pure—Spermaceti in Cakes, strain'd Spermaceti Oil by the Quantity or Cask, Sugars by the Hoghead or Barrel, &c. &c.
Also to be Sold at the above Store,
Pitch, Tar, Turpentine, Salt, &c. &c.

TO BE LETT
A Warehouse with a good Cellar
belonging to it, adjoining to Mr. Nathaniel Loring's Store near Faneuil-Hall: late in the Occupation of Mr Jonathan Dowle; the Terms may be known by enquiring of the Printers.

HAVING received a Request from a Number of the Proprietors of the Township of New-Boston, so called, lying back of North Yarmouth, in the County of Cumberland, to call a Meeting of the Proprietors as soon as may be: to act on the following Articles, viz. To see whether they will make Sale of the Rights of such Proprietors as shall then appear to be deficient in paying their Taxes: Whether they will choose a new Clerk, as the present Clerk has remov'd at a Distance from Boston: To choose such Committee as shall be judg'd necessary for transacting the Affairs of the Propriety: To determine upon such Methods as may be thought needful for securing the Proprietors in their several Rights as they were formerly drawn by them, and fully confirming all Votes that have passed for that Purpose, as the Records of the Propriety are lost: To choose a Committee to settle the Accounts of the Treasurer, and do whatever else may be thought necessary for promoting the Settlement:—THESE are therefore to Notify the Proprietors of said Township, to meet at the British Coffee House in Boston, on TUESDAY the 21st Day of January next, at Four a Clock in the Afternoon, to act upon the Articles aforesaid, and such other Matters as shall be judg'd for the Benefit of the Propriety.
WILLM STORY, Prop'r's Clerk.
Boston, December 20. 1765.

Whereas the Great and General
Court in Boston, in February 1763 did grant or order that a Tax of One Penny per Acre should be laid on all Lands lying in Warwick, in the County of Hampshire, being private Property, for three Years successively; and we the Subscribers having assessed the third or last Year's Tax on said Lands pursuant to Grant or Order of Court, and committed said Assessment to Mr. James Ball, Collector of Taxes in said Town: These are therefore to notify the Proprietors and all Owners of Land in Warwick aforesaid, that except they pay said Assessment, or their Tax respectively, to the said James Ball, Collector, in said Warwick, their Lands, or so much of them as will pay said Tax and Charges, will be sold at Public Vendue on Wednesday the twenty sixth Day of March next ensuing, at Ten of the Clock in the Morning, at the Dwelling House of the said James Ball, Innholder in said Warwick, and to from Day to Day said Vendue to be continued by Adjournment or Adjournments, till the Whole be sold that shall then remain unpaid.
Dated at Warwick,
December 30.
1765.
Benjamin Conant,
James Ball,
Jeduthan Moser } Auctioneers

Boston, Printed by EDES & GILL.